

Attorney's Docket Number: 3045.00002 **PATENT**

Applicant or Patentee: Power et al.

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: Herewith

Title: ANTISENSE OLIGODEOXYNUCLEOTIDES REGULATING  
EXPRESSION OF TNF-ALPHA

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(d) — NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The University of Manitoba

Organization Address: Administration Building - Room 202  
Winnipeg, Manitoba, CANADA R3T 2N2

**Type of Organization:**

- ☒ University or other Institution of Higher Education
- ☐ Tax exempt under Internal Revenue Service Code  
(26 USC 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of the United States of  
America State: \_\_\_\_\_  
Citation of Statute: \_\_\_\_\_
- ☐ Would Qualify as Tax Exempt under Internal Revenue  
Service Code (26 USC 501(a) and 501(c)(3) if located in the United States of  
America (State: \_\_\_\_\_)  
(Citation of Statute: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualified as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and 41(b) of Title 35, of United States Code with regard to the invention as entitled above.

**Described in:**

- ☒ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

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If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or nonprofit organization under 37 CFR 1.9(3).

• **Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)**

Each such person, concern or organization having any rights in the invention is listed below:

☐ No such person, concern, or organization exists.

☒ Each such person, concern or organization is listed below.

NAME: University Technologies International Inc.

ADDRESS: 609 14th Street, NW, Suite 204

Calgary, Alberta, Canada T2N 2A1

☐ Individual ☒ Small Business ☐ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business ☐ Nonprofit Organization


I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: T.G. Falconer

Title in Organization: Vice-President, Administration

Winnipeg, Manitoba, Canada R3T 2N2

Signature:  Date: October 8, 1998

(Small Entity-Nonprofit [Form 7-3] — Page 2 of 2)

PATENT

Attorney's Docket No. 3045.99002Applicant or Patentee: C. Rower and M. Mayne

Serial or Patent No: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: \_\_\_\_\_

ANTISENSE OLIGODEONUCLEOTIDES REGULATING EXPRESSION OF TNF- $\alpha$ 

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
 (37 CFR 1.9(e) and 1.27(d) -- SMALL BUSINESS CONCERN)

I hereby declare that I am:

- \_\_\_\_\_ the owner of the small business concern identified below:
- X an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: \_\_\_\_\_

University Technologies International Inc.

Address of Concern: \_\_\_\_\_

609 14<sup>th</sup> Street NW, Suite 204Calgary, Alberta, Canada T2N 2B1

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 17 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement: (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention referenced above.

Described in:

- X the specification filed herewith.
- \_\_\_\_\_ application referenced above.
- \_\_\_\_\_ patent referenced above.

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If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: University of Manitoba

ADDRESS: Administration Building - Room 202

Winnipeg, Manitoba, CANADA R3T 2N2

☐ Individual ☐ Small Business ☒ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Beverley Sheridan

Title in Organization: President/Chief Executive Officer

Address of Person Signing: 609 14<sup>th</sup> Street NW, Suite 204

Calgary, Alberta, Canada T2N 2A1

SIGNATURE:  Date: Oct. 21/98

Docket No.  
3045.00002

## Declaration and Power of Attorney For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Antisense Oligodeoxynucleotides Regulating Expression Of TNF-Alpha**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 22, 1998 as United States Application No. or PCT International Application Number 09/176,862 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

**60/062,718**

(Application Serial No.)

10-22-97

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending; abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

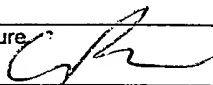
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Irene N. Montgomery (248) 539-5050

Full name of sole or first inventor	Christopher Power
Sole or first inventor's signature	 Date 4/11/99
Residence	Calgary, Canada
Citizenship	US and Canadian
Post Office Address	134 Edgeview Road, NW
	Calgary, Canada T3A 4N1

Full name of second inventor, if any	Michael B. Mayne
Second inventor's signature	 Date 1/4/99
Residence	Winnipeg, Canada
Citizenship	Canadian
Post Office Address	589 Stradbroke Avenue
	Winnipeg, Canada R3L OK3